



December 31, 2003

Robert C. Colwell
Townsend and Townsend and Crew
Two Embarcadero Center, Eighth Floor
San Francisco, CA 94111-3834

In re application of:
Norio Chujo, et al DECISION ON PETITION
Serial No.: 09/745,522
Filed: August 15, 2001
For: OPTICAL MODULES AND METHODS OF
MAKING THE OPTICAL MODULES

This is a decision on the petition received on November 13, 2003, to withdraw the holding of abandonment in the above-identified application.

The above-identified application became abandoned for failure to reply within the meaning of 37 C.F.R. 1.113 in timely manner to the Notice of Missing Parts of Application mailed September 25, 2001. Which set a shortened statutory period for reply of two (2) months. Accordingly, this application became abandoned November 27, 2001. The notice of abandonment was mailed on October 10, 2003.

On November 13, 2003, the office received a communication from the attorney of record. Enclosed was an acknowledgement that the attorney responded to the Notice of Missing Parts on January 24, 2002.

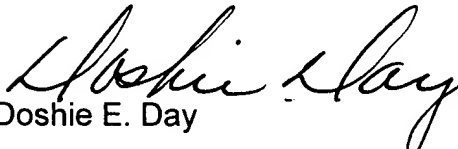
The evidence submitted is sufficient to establish that the petitioners responded to the Notice of Missing Parts on January 24, 2002.

The petition is hereby Granted.

The application has been completed for release to Technology Center 2872.

The office regrets any inconvenience this may have caused the client.

Telephone inquiries concerning this matter may be directed to Doshie E. Day (703) 308-3640.


Doshie E. Day

COPY



TO THE U.S. PATENT AND TRADEMARK OFFICE:

Please stamp the date of receipt of the following document(s), and return this card to us.

PA 3192174 v1

Title of Document: Transmittal [missing parts]; 2 Fee Transmittal; Supplemental ADS; 2 Petition for Extension of Time; Declaration/Power of Attorney; copy Notice; 2 Recordation Form Cover Sheet; Assignment

Date Due: December 25, 2001

Appln. No.: 09/930,806

Date Mailed: December 26, 2001

File No.: 16869N-031100

Atty/Sec.: RCC:mks

RECEIVED

NOV 17 2003

OFFICE OF PETITIONS

TO THE U.S. PATENT AND TRADEMARK OFFICE:

Please stamp the date of receipt of the following document(s), and return this card to us.

PA 3192174 v1

Title of Document: Transmittal [missing parts]; 2 Fee Transmittal; Supplemental ADS; 2 Petition for Extension of Time; Declaration/Power of Attorney; copy Notice; 2 Recordation Form Cover Sheet; Assignment

Date Due: December 25, 2001

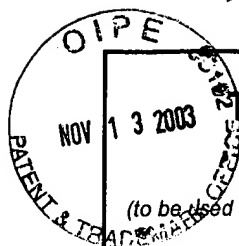
Appln. No.: 09/930,806

Date Mailed: December 26, 2001

File No.: 16869N-031100

Atty/Sec.: RCC:mks





TRANSMITTAL FORM (to be used for all correspondence after initial filing)		Application Number	09/930,806
		Filing Date	August 15, 2001
		First Named Inventor	Chujo, Norio
		Art Unit	NOV 17 2003
Total Number of Pages in This Submission		Examiner Name	
		Attorney Docket Number	16869N-031100US

OFFICE OF PETITIONS

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): 1. COPY Return Postcard 2. COPY Missing Parts paperwork: transmittal, fee transmittal, extension, suppl. ADS, Decl./Power of Atty, Missing Parts notice 3. Copy Abandonment Notice 4. Return Postcard
Remarks: The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.		

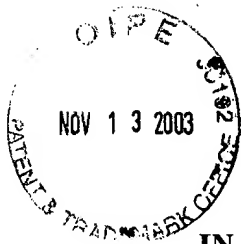
SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual	Townsend and Townsend and Crew LLP Robert C. Colwell	Reg. No. 27,431
Signature		
Date	November 10, 2003	

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Typed or printed name	Margaret K. Stephan		
Signature		Date	November 10, 2003



PATENT
Docket No.: 16869N-031100US
Client Ref. No.: NT0419US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Norio CHUJO, et al.

Application No.: 09/930,806

Filed: August 15, 2001

For: OPTICAL MODULES AND
METHODS OF MAKING THE
OPTICAL MODULES

Examiner:

Art Unit:

**Petition to Withdraw Holding of Abandonment
and Request for Refund**

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NOV 17 2003
OFFICE OF PETITIONS

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Counsel for Assignee is in receipt of the Notice of Abandonment Under 37 CFR 1.53(f) or (g). A review of the file indicates that a complete response to the Notice to File Missing Parts of Nonprovisional Application, dated September 25, 2001, was mailed to the U.S. Patent Office on December 26, 2001. The response was received by the Patent Office Mailroom on January 24, 2002, as evidenced by the return receipt postcard, a copy of which is attached for reference. Counsel for Assignee therefore requests that the Patent Office withdraw its holding of abandonment and reinstate the application for further prosecution. A complete copy of the response as filed is enclosed for reference.

The Commissioner is authorized to charge the fee of \$130.00 associated with the filing of this petition to Deposit Account No. 20-1430. The Commissioner is further authorized to charge any additional fees associated with this paper or during the pendency of this application, or credit any overpayment to Deposit Account No. 20-1430. This petition is provided in duplicate.

11/17/2003 AWONDAF1 00000147 201430 09930806

01 FC:1460 130.00 DA

Norio CHUJO, et al.
Application No.: 09/930,806
Page 2

PATENT

Since it appears that the complete response was in fact received by the Patent Office Mailroom, counsel for Assignee believes that a refund of this petition fee is proper and requests that such refund be credited to the above deposit account.

Respectfully submitted,



Robert C. Colwell
Reg. No. 27,431

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: (415) 576-0200
Fax: (415) 576-0300
RCC:mks

Enclosures (as noted above)

60078567 v1

PETITION FOR EXTENSION OF TIME UNDER 37 CFR 1.136(a)

Docket Number (Optional)
16869N-031100US

In re Application of Norio Chujo, et al.

Application Number 09/930,806

Filed August 15, 2001

For OPTICAL MODULES AND METHODS OF MAKING THE
OPTICAL MODULES

Group Art Unit

Examiner

This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a reply in the above identified application.

The requested extension and appropriate non-small-entity fee are as follows (check time period desired):

- | | |
|---|-------|
| <input checked="" type="checkbox"/> One month (37 CFR 1.17(a)(1)) | \$110 |
| <input type="checkbox"/> Two months (37 CFR 1.17(a)(2)) | \$ |
| <input type="checkbox"/> Three months (37 CFR 1.17(a)(3)) | \$ |
| <input type="checkbox"/> Four months (37 CFR 1.17(a)(4)) | \$ |
| <input type="checkbox"/> Five months (37 CFR 1.17(a)(5)) | \$ |

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee amount shown above is reduced by one-half, and the resulting fee is: \$.

☐ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 20-1430.

I have enclosed a duplicate copy of this sheet.

I am the ☐ applicant/inventor.

☐ assignee of record of the entire interest. See 37 CFR 3.71

Statement under 37 CFR 3.73(b) is enclosed. (Form PTO/SB/96).

☒ attorney or agent of record.

☐ attorney or agent under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a). _____

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

December 26, 2001

Date

Signature

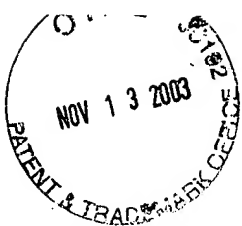
James M. Heslin, Reg. No. 29,541

Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below*.

☐ *Total of _____ forms are submitted.

Burden Hour Statement: This form is estimated to take 0.1 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.
PA 3192172 v1



COPY

Application Data Sheet

Application Information

Application number:: 09/930,806
Filing Date:: 08/15/01
Application Type:: Regular
Subject Matter:: Utility
Suggested classification::
Suggested Group Art Unit::
CD-ROM or CD-R???:
Number of CD disks::
Number of copies of CDs::
Sequence Submission::
Computer Readable Form (CRF)?::
Number of copies of CRF::
Title:: Optical Modules and Methods of Making the
Optical Modules
Attorney Docket Number:: 16869N-031100US
Request for Early Publication:: No
Request for Non-Publication:: No
Suggested Drawing Figure::
Total Drawing Sheets:: 12
Small Entity?:: No
Latin name::
Variety denomination name::
Petition included?:: No
Petition Type::
Licensed US Govt. Agency::
Contract or Grant Numbers One::
Secrecy Order in Parent Appl.: No

COPY

Applicant Information

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Norio
Middle Name::
Family Name:: Chujo
Name Suffix::
City of Residence:: Tokyo
State or Province of Residence::
Country of Residence:: Japan
Street of Mailing Address:: c/o Hitachi, Ltd.
Postal Address Line Two:: Intellectual Property Group
Postal Address Line Three:: New Marunouchi Bldg.
Postal Address Line Four:: 5-1, Marunouhi 1-chome
Postal Address Line Five:: Chiyoda-ku
City of Mailing Address:: Tokyo
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 100-8220

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Keiichi
Middle Name::
Family Name:: Yamamoto
Name Suffix::
City of Residence:: Tokyo
State or Province of Residence::

COPY

Country of Residence:: Japan
Street of Mailing Address:: c/o Hitachi, Ltd.
Postal Address Line Two:: Intellectual Property Group
Postal Address Line Three:: New Marunouchi Bldg.
Postal Address Line Four:: 5-1, Marunouhi 1-chome
Postal Address Line Five:: Chiyoda-ku
City of Mailing Address:: Tokyo
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 100-8220

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Akio
Middle Name::
Family Name:: Osaki
Name Suffix::
City of Residence:: Tokyo
State or Province of Residence::
Country of Residence:: Japan
Street of Mailing Address:: c/o Hitachi, Ltd.
Postal Address Line Two:: Intellectual Property Group
Postal Address Line Three:: New Marunouchi Bldg.
Postal Address Line Four:: 5-1, Marunouhi 1-chome
Postal Address Line Five:: Chiyoda-ku
City of Mailing Address:: Tokyo
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 100-8220

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Katsunori
Middle Name::
Family Name:: Hirano
Name Suffix::
City of Residence:: Tokyo
State or Province of Residence::
Country of Residence:: Japan
Street of Mailing Address:: c/o Hitachi, Ltd.
Postal Address Line Two:: Intellectual Property Group
Postal Address Line Three:: New Marunouchi Bldg.
Postal Address Line Four:: 5-1, Marunouchi 1-chome
Postal Address Line Five:: Chiyoda-ku
City of Mailing Address:: Tokyo
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 100-8220

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Takayuki
Middle Name::
Family Name:: Nakao
Name Suffix::
City of Residence:: Yokohama-shi, Kanagawa

COPY

State or Province of Residence::

Country of Residence:: Japan

Street of Mailing Address:: c/o OpNext Japan, Inc.

Postal Address Line Two:: 216, Totsuka-cho, Totsuka-ku

City of Mailing Address:: Yokohama-shi, Kanagawa

State or Province of mailing address::

Country of mailing address:: Japan

Postal or Zip Code of mailing address:: 244-8567

Applicant Authority Type:: Inventor

Primary Citizenship Country:: Japan

Status:: Full Capacity

Given Name:: Tomoaki

Middle Name::

Family Name:: Shimotsu

Name Suffix::

City of Residence:: Yokohama-shi, Kanagawa

State or Province of Residence::

Country of Residence:: Japan

Street of Mailing Address:: c/o OpNext Japan, Inc.

Postal Address Line Two:: 216, Totsuka-cho, Totsuka-ku

City of Mailing Address:: Yokohama-shi, Kanagawa

State or Province of mailing address::

Country of mailing address:: Japan

Postal or Zip Code of mailing address:: 244-8567

Applicant Authority Type:: Inventor

Primary Citizenship Country:: Japan

Status:: Full Capacity

Given Name:: Atsushi
Middle Name::
Family Name:: Hasegawa
Name Suffix::
City of Residence:: Yokohama-shi, Kanagawa
State or Province of Residence::
Country of Residence:: Japan
Street of Mailing Address:: c/o OpNext Japan, Inc.
Postal Address Line Two:: 216, Totsuka-cho, Totsuka-ku
City of Mailing Address:: Yokohama-shi, Kanagawa
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 244-8567

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Tetsuya
Middle Name::
Family Name:: Aoki
Name Suffix::
City of Residence:: Yokohama-shi, Kanagawa
State or Province of Residence::
Country of Residence:: Japan
Street of Mailing Address:: c/o OpNext Japan, Inc.
Postal Address Line Two:: 216, Totsuka-cho, Totsuka-ku
City of Mailing Address:: Yokohama-shi, Kanagawa
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 244-8567

Applicant Authority Type:: Inventor
Primary Citizenship Country:: Japan
Status:: Full Capacity
Given Name:: Takeshi
Middle Name::
Family Name:: Yamashita
Name Suffix::
City of Residence:: Yokohama-shi, Kanagawa
State or Province of Residence::
Country of Residence:: Japan
Street of Mailing Address:: c/o OpNext Japan, Inc.
Postal Address Line Two:: 216, Totsuka-cho, Totsuka-ku
City of Mailing Address:: Yokohama-shi, Kanagawa
State or Province of mailing address::
Country of mailing address:: Japan
Postal or Zip Code of mailing address:: 244-8567

Correspondence Information

Correspondence Customer Number:: 20350

Representative Information

Representative Designation::	Representative Number::	Representative Name::
Primary	27,431	Robert C. Colwell

Domestic Priority Information

Application:: Continuity Type:: Parent Application:: Parent Filing Date::

Foreign Priority Information

Country::	Application number::	Filing Date::
Japan	2001-192704	06/26/01

Assignee Information

Assignee Name::	<u>OpNext Japan, Inc.</u>
Street of mailing address::	<u>216, Totsuka-cho Totsuka-ku</u>
City of mailing address::	<u>Yokohama</u>
State or Province of mailing address::	
Country of mailing address::	<u>Japan</u>
Postal or Zip Code of mailing address::	

COPY
UNITED STATES PATENT AND TRADEMARK OFFICECOMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/930,806	08/15/2001	Norio Chujo	16869N-031100US

20350
TOWNSEND AND TOWNSEND AND CREW
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

CONFIRMATION NO. 3578

FORMALITIES LETTER



OC000000006789793

Date Mailed: 09/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

RECEIVED

FILED UNDER 37 CFR 1.53(b)

NOV 17 2003

Filing Date Granted

OFFICE OF PETITIONS

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(l) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NUMBER	FILING OR 371(C) DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO./TITLE
09/930,806	08/15/2001	Norio Chujo	16869N-031100US

20350
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834



CONFIRMATION NO. 3578
ABANDONMENT/TERMINATION
LETTER



OC000000011020699

Date Mailed: 10/10/2003

NOTICE OF ABANDONMENT UNDER 37 CFR 1.53 (f) OR (g)

The above-identified application is abandoned for failure to timely or properly reply to the Notice to File Missing Parts (Notice) mailed on 09/25/2001.

- No reply was received.

A petition to the Commissioner under 37 CFR 1.137 may be filed requesting that the application be revived.

Under 37 CFR 1.137(a), a petition requesting the application be revived on the grounds of **UNAVOIDABLE DELAY** must be filed promptly after the applicant becomes aware of the abandonment and such petition must be accompanied by: (1) an adequate showing of the cause of unavoidable delay; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(l); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Under 37 CFR 1.137(b), a petition requesting the application be revived on the grounds of **UNINTENTIONAL DELAY** must be filed promptly after applicant becomes aware of the abandonment and such petition must be accompanied by: (1) a statement that the entire delay was unintentional; (2) the required reply to the above-identified Notice; (3) the petition fee set forth in 37 CFR 1.17(m); and (4) a terminal disclaimer if required by 37 CFR 1.137(d).

Any questions concerning petitions to revive should be directed to the "Office of Petitions" at (703) 305-9282. Petitions should be mailed to: Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria VA 22313-1450.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

COPY

PTO/SB/106(8-96)

Approved for use through 9/30/98. OMB 0651-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

OPTICAL MODULES AND METHODS OF MAKING THE

OPTICAL MODULES

上記発明の明細書（下記の欄で×印がついていない場合は、本書に添付）は、

The specification of which is attached hereto unless the following box is checked:

☐ 月 日に提出され、米国出願番号または特許協定条約
国際出願番号を _____ とし、
(該当する場合) _____ に訂正されました。

☒ was filed on 15/August/2001
as United States Application Number or
PCT International Application Number
09/930806 and was amended on
_____ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Page 1 of 5

Burden Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20231.

COPY

PTO/SB/17 (09-00)
 App. for use through 10/31/2002. OMB 0651-0032
 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

Complete If Known

Application Number 09/930,806
 Filing Date August 15, 2001
 First Named Inventor Chujo, Norio
 Examiner Name
 Group Art Unit
 Attorney Docket No. 16869N-031100US

TOTAL AMOUNT OF PAYMENT (\$) 280

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:

Deposit
Account
Number

20-1430

Deposit
Account
Name

Townsend and Townsend and Crew LLP

- ☒ Charge Any Additional Fee Required
Under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status.
See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1)

(\$)

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
Independent Claims	-20** =	X	=
Multiple Dependent	-3** =	X	=

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
103	18	203	9	Claims in excess of 20	
102	84	202	42	Independent claims in excess of 3	
104	280	204	140	Multiple dependent claim, if not paid	
109	84	209	42	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	

SUBTOTAL (2)

(\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	130
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	110
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	40
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	

Other fee (specify)

The Commissioner is authorized to charge any additional fees to the above noted Deposit Account.

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$280)

SUBMITTED BY

Complete (if applicable)

Name (Print/Type)	James M. Heslin	Registration No. (Attorney/Agent)	29,541	Telephone	650-326-2400
Signature				Date	December 26, 2001

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231. PA 3192169 v1

Declaration and Power of Attorney For Patent Application

特許出願宣言書及び委任状

Japanese Language Declaration

日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

OPTICAL MODULES AND METHODS OF MAKING THE

OPTICAL MODULES

上記発明の明細書（下記の欄で×印がついていない場合は、本書に添付）は、

The specification of which is attached hereto unless the following box is checked:

☐ __月__日に提出され、米国出願番号または特許協定条約国際出願番号を____とし、
(該当する場合) _____に訂正されました。

☒ was filed on 15/August/2001
as United States Application Number or
PCT International Application Number
09/930806 and was amended on
_____ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1条56項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Japanese Language Declaration (日本語宣言書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基づき下記の、米国以外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基づく国際出願、又は外国での特許出願もしくは発明者証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明者証の外国出願を以下に、枠内をマークすることで、示している。

Prior Foreign Application(s)

外国での先行出願

2001-192704	Japan
(Number)	(Country)
(番号)	(国名)
<hr/>	
(Number)	(Country)
(番号)	(国名)

私は、第35編米国法典119条(e)項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.)	(Filing Date)
(出願番号)	(出願日)

私は、下記の米国法典第35編120条に基づいて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基づき権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第35編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入手された、連邦規則法典第37編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

(Application No.)	(Filing Date)
(出願番号)	(出願日)

(Application No.)	(Filing Date)
(出願番号)	(出願日)

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じることに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の表明を行えば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

優先権主張なし

26/June/2001	<input type="checkbox"/>
(Day/Month/Year Filed)	
(出願年月日)	
<hr/>	
(Day/Month/Year Filed)	<input type="checkbox"/>
(出願年月日)	

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

(Application No.)	(Filing Date)
(出願番号)	(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of application.

(Status: Patented, Pending, Abandoned)
(現況: 特許許可済、係属中、放棄済)

(Status: Patented, Pending, Abandoned)
(現況: 特許許可済、係属中、放棄済)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

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Japanese Language Declaration (日本語宣言書)

委任状： 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁理士または代理人として、下記の者を指名いたします。(弁護士、または代理人の氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby

appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

Robert C. Colwell, Reg. No. 27,431; William L. Shaffer, Reg. No. 37,234; Paul A. Durdik, Reg. No. 37,819; Kim Kanzaki, Reg. No. 37,652 and George B.F. Yee, Reg. No. 37,478

書類送付先

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Direct Telephone Calls to: (name and telephone number)

Telephone: (650)326-2400

Fax: (650)326-2422

唯一または第一発明者	Full name of sole or first inventor
	Norio CHUJO
発明者の署名	Inventor's signature
日付	Date
	<i>Norio Chujo</i> Nov. 29, 2001
住所	Residence
	Tokyo, Japan
国籍	Citizenship
	Japan
私書箱	Post Office Address
	c/o Hitachi, Ltd., Intellectual Property Group
	New Marunouchi Bldg. 5-1, Marunouchi 1-chome,
	Chiyoda-ku, Tokyo 100-8220, Japan

(第二以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for second and subsequent joint inventors.)

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第二共同発明者	Full name of second joint inventor, if any Keiichi YAMAMOTO
第二共同発明者の署名 日付	Second inventor's signature Date <i>Keiichi Yamamoto</i> <i>Nov. 29, 2001</i>
住所	Residence Yokohama, Japan
国籍	Citizenship Japan
私書箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan
第三共同発明者	Full name of third joint inventor, if any Akio OSAKI
第三共同発明者の署名 日付	Third inventor's signature Date <i>Akio Osaki</i> <i>Nov. 28, 2001</i>
住所	Residence Yokohama, Japan
国籍	Citizenship Japan
私書箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan
第四共同発明者	Full name of fourth joint inventor, if any Katsunori HIRANO
第四共同発明者の署名 日付	Fourth inventor's signature Date <i>Katsunori Hirano</i> <i>Nov. 29, 2001</i>
住所	Residence Yokohama, Japan
国籍	Citizenship Japan
私書箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group New Marunouchi Bldg. 5-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220, Japan
第五共同発明者	Full name of fifth joint inventor, if any Takayuki NAKAO
第五共同発明者の署名 日付	Fifth inventor's signature Date <i>Takayuki NAKAO</i> <i>Nov. 22, 2001</i> <i>Nov. 22, 2002</i>
住所	Residence Yokohama, Japan
国籍	Citizenship Japan
私書箱	Post Office Address c/o OpNext Japan, Inc 216 Totsuka-cho Totsuka-ku, Yokohama-shi Kanagawa 244-8567, Japan

(第六以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for sixth and subsequent joint inventors.)

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Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

第六共同発明者	Full name of sixth joint inventor, if any Tomoaki SHIMOTSU
第六共同発明者の署名 日付	Sixth inventor's signature Date Tomoaki Shimotsu Nov. 22, 2001
住所	Residence Yokohama, Japan
国籍	Citizenship Japan
私書箱	Post Office Address c/o OpNext Japan, Inc 216 Totsuka-cho Totsuka-ku, Yokohama-shi Kanagawa 244-8567, Japan
第七共同発明者	Full name of seventh joint inventor, if any Atsushi HASEGAWA
第七共同発明者の署名 日付	Seventh inventor's signature Date Atsushi Hasegawa Nov. 22, 2001
住所	Residence Yokohama, Japan
国籍	Citizenship Japan
私書箱	Post Office Address c/o OpNext Japan, Inc 216 Totsuka-cho Totsuka-ku, Yokohama-shi Kanagawa 244-8567, Japan
第八共同発明者	Full name of eighth joint inventor, if any Tetsuya AOKI
第八共同発明者の署名 日付	Eighth inventor's signature Date Tetsuya Aoki Nov. 22, 2001
住所	Residence Yokohama, Japan
国籍	Citizenship
私書箱	Post Office Address c/o OpNext Japan, Inc 216 Totsuka-cho Totsuka-ku, Yokohama-shi Kanagawa 244-8567, Japan
第九共同発明者	Full name of ninth joint inventor, if any Takeshi YAMASHITA
第九共同発明者の署名 日付	Ninth inventor's signature Date Takeshi Yamashita Nov. 29, 2001
住所	Residence Yokohama, Japan
国籍	Citizenship Japan
私書箱	Post Office Address c/o OpNext Japan, Inc 216 Totsuka-cho Totsuka-ku, Yokohama-shi Kanagawa 244-8567, Japan

(第十以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for tenth and subsequent joint inventors.)